

FILED BY *JF* D.C.

05 MAY 23 PM 2:55

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

ROBERT R. DETROLIO
CLERK, U.S. DIST. CT.
W.D. OF TN, MEMPHIS

OSLO COLE,

Plaintiff,

vs.

YOUTH VILLAGES, INC.,

Defendant.

Civ. No. 04-2755-B/P

SCHEDULING ORDER

Pursuant to written notice, a scheduling conference was held May 19, 2005. Present were Emma Cole, counsel for plaintiff, and Kelly Gooch, counsel for defendant. At the conference, the following dates were established as the final dates for:

INITIAL DISCLOSURES PURSUANT TO Fed.R.Civ.P. 26(a)(1):
June 15, 2005

JOINING PARTIES:
Plaintiff - June 10, 2005
Defendant - July 10, 2005

AMENDING PLEADINGS:
Plaintiff - June 10, 2005
Defendant - July 10, 2005

INITIAL MOTIONS TO DISMISS: September 12, 2005

COMPLETING ALL DISCOVERY: December 1, 2005

(a) **DOCUMENT PRODUCTION:** December 1, 2005

18

(b) DEPOSITIONS, INTERROGATORIES AND REQUESTS FOR
ADMISSIONS: December 1, 2005

(c) EXPERT WITNESS DISCLOSURE (Rule 26):

(1) DISCLOSURE OF PLAINTIFF'S RULE 26 EXPERT
INFORMATION: October 3, 2005

(2) DISCLOSURE OF DEFENDANT'S RULE 26 EXPERT
INFORMATION: November 3, 2005

(3) EXPERT WITNESS DEPOSITIONS: December 1, 2005

FILING DISPOSITIVE MOTIONS: January 10, 2006

OTHER RELEVANT MATTERS:

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

This case is set for a nonjury trial. The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge. It is anticipated that the trial will last approximately three (3) days.

This case is appropriate for ADR. The parties are directed to engage in court-annexed attorney mediation or private mediation before close of discovery.

The parties may consent to trial before the Magistrate Judge. The Magistrate Judge can normally provide the parties with a definite trial date that will not be continued unless a continuance is agreed to by all parties, or an emergency arises which precludes the matter from proceeding the trial.

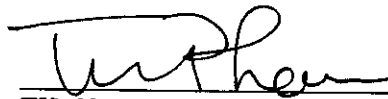
The parties are reminded that pursuant to Local Rule 11(a)(1)(A), all motions, except motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

At this time, the parties have not given consideration to whether they wish to consent to trial before the magistrate judge. The parties will file a written consent form with the court should they decide to proceed before the magistrate judge.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED.



TU M. PHAM

United States Magistrate Judge

5/23/05

Date



Notice of Distribution

This notice confirms a copy of the document docketed as number 18 in case 2:04-CV-02755 was distributed by fax, mail, or direct printing on May 23, 2005 to the parties listed.

Emma Cole
LAW OFFICE OF EMMA COLE
2693 Union Ave., Extd.
Ste. 200
Memphis, TN 38112

Kelly S. Gooch
LEWIS FISHER HENDERSON & CLAXTON, LLP
6410 Poplar Ave.
Ste. 300
Memphis, TN 38119

Honorable J. Breen
US DISTRICT COURT